

Michigan's Off-Road Vehicle Guide

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Off-Road Vehicle Definitions

An ORV is defined as any motor vehicle that can be operated cross-country without benefit of a road or trail over land, snow and other natural terrain and includes all of the following: Multi-track and multi-wheeled vehicles, ATVs, motorcycles and related 2, 3 and 4-wheeled vehicles, amphibious machines (water to land and back), hovercraft and any other vehicles that use mechanical power, including 2 and 4-wheel drive vehicles that are highway registered, when operated off highways and roads.

ATV's are a subgroup of ORVs.

An ATV is defined as: a 3 or 4 wheeled vehicle that is designated for off-road use, that has low-pressure (balloontype) tires, with a seat that is designed to be straddled by the operator, powered by an engine in size from 50 cc on up to 500 cc displacement.

There are specific exemptions from this list. The following are **NOT ORVs**: registered snowmobiles; farm, construction and logging vehicles when being used in usual work practices; military, fire, emergency and law enforcement vehicles.

Titling and Licensing

Owner's of ORVs are required to:

1. obtain a title for an ORV through the Secretary of State (SOS); NOTE — a Michigan title is NOT required on nonresident ORVs used in Michigan.
2. license the ORV with the Department of Natural Resources (DNR).

Every ORV sold through a dealer will be accompanied by a certificate of origin. This certificate of origin contains all the information needed for applying for a certificate of title and an ORV license. The application for a title is made to SOS, and the fee for processing is \$11.00. When an ORV is purchased through a dealer, application for title will be made by the dealer on behalf of the buyer. **Application for a title must be made within 15 days of purchase by:** the dealer, if it is an ORV sold by the dealer; the buyer, if the ORV is purchased from other than a dealer.

Any time an ORV is sold to another person, the certificate of title must also be transferred to the buyer. It is **unlawful** to: sell or transfer an ORV without transferring the title; purchase or acquire an ORV without obtaining a title.

The DNR will license all ORVs on an annual basis.

Fee will be: \$16.25 beginning April 1, 1996 and thereafter.

Licenses are valid from April 1 through March 31 of the following year, regardless of the date of purchase. Vehicles licensed under the Motor Vehicle Code as street vehicles require an ORV license only at such time as they are being used as an ORV. A “street licensed” vehicle does not need an ORV license to use forest roads, but will if used on designated trails and if used in designated areas for cross-country use.

NOTE — an ORV license is NOT required for street licensed vehicles used on the frozen surface of public waters.

Private land owners and invited guests are not required to license ORVs operated exclusively on their private property. Licensing is required of both resident and nonresident ORVs used in areas open to public operation.

ORV licenses are available from the DNR at DNR Operations Service Centers, over the internet at <http://www.mdnr-elicense.com/> by mail, through participating ORV dealers and through participating hunting and fishing license agents.

For purchase by mail, contact:
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
GRANTS, CONTRACTS AND CUSTOMER SYSTEMS
P.O. BOX 30181
LANSING, MI 48909
TELEPHONE (517) 335-3272

Display of License

It is unlawful to operate an ORV without having a valid license permanently attached and visibly displayed on the vehicle in the following manner:

- on a 2 wheeled vehicle, centered on exposed rear fender;
- 3 or 4 wheeled vehicle (ATVs), on flat metal surface, bumper or
- plate permanently attached to rear of ORV; other ORVs, including dune buggies and 4 W/D trucks, centered and visible on rear of the vehicle.

Equipment

Before an ORV may be operated on any property, the operator is responsible for the following equipment requirements:

- A. ORV operators and all passengers must wear a U.S. DOT approved crash helmet AND protective eyewear or goggles EXCEPT when the ORV is equipped with an approved roof AND the operator and passengers are wearing properly adjusted and fastened safety belts.
- B. The ORV must have:
 - A braking system in good working condition that operates by either hand or foot;
 - A throttle system designed to automatically and immediately return the engine speed to idle when pressure is released;
 - A U.S. Forest Service approved spark arrester and muffler, in good working condition and in constant operation, meeting applicable sound level standards (Sound Emission Regulations);

- Designed, manufactured accommodations for seating for each passenger;
- If operated during the hours of 1/2 hour after sunset to 1/2 hour before sunrise must also have and display all of the following:
 - a lighted headlight
 - a lighted tail light;
 - a brake light, brighter than the tail light.

Other equipment that is highly recommended for operators and passengers is:

- a long sleeved shirt or jacket of durable material;
- chest protector, for chest and shoulder protection;
- kidney or riding belt, for lower back support;
- sturdy gloves that provide hand and finger protection and improved grip on the controls;
- denim or other heavy material pants;
- knee and elbow pads, for knee and elbow protection;
- heavy leather boots, for ankle and foot protection.

Restrictions On Young ORV Operators

Visual supervision is defined as having direct observation with the unaided eye and the ability to come to immediate aid of another ORV operator.

Restrictions are in effect on the operation of ORVs by children under the age of 16. There are also specific obligations that fall upon the parents or legal guardians of ORV riders under the age of 16, and upon the owners of ORVs.

- A. No person under the age of 16 may operate any 3-wheeled ATV.
- B. No child under the age of 10 may operate any 4-wheeled ATV, EXCEPT on private land while performing farm related work operations.
- C. Children who are 10 and 11 years old may operate 4-wheel ATVs only when ALL of the following conditions exist:
 - must be on land owned by the child's parent or guardian;
 - must be under visual supervision (see definition) of an adult;
 - must possess a valid ORV safety certificate.
- D. Children who are 12 - 15 years old may operate 4-wheeled ATVs only when BOTH of the following conditions exist:
 - must be under visual supervision of an adult;
 - must possess a valid ORV safety certificate.
- E. Children under 16 may operate other ORVs (trail bikes, for example) only when BOTH of the following conditions exist:
 - must be under visual supervision of an adult;
 - must possess a valid ORV safety certificate.
- F. No child under the age of 12 may cross any street, highway or county road while operating any ORV.
- G. Children who are at least 12 years old may cross streets and roads (only at right

angles). The parents and legal guardians of a child under the age of 16 are legally responsible if they permit the child under their care to violate any of the above. The owner (or person in control) of an ORV is also responsible if his or her ORV is operated by a youngster.

Operation of ORVs By Children

This chart asks the question, can this age group operate this type of ORV?

AGE IN YEARS				
	Under 10	10-11	12-15	16 & Older
3-wheel ATV	No	No	No	Yes
4-wheel ATV	No (Except on Private land while performing farm related work operations)	No (Except on land owned by the parent or guardian, while in visual supervision and ORV certificate)	Yes, with visual supervision and ORV certificate	Yes
Other ORVs (Trail Bikes, etc)	Yes, with visual supervision and certificate	Yes, with visual supervision and certificate	Yes, with visual supervision and certificate	Yes
Cross street or highway	No	No	Yes, with visual supervision and certificate	Yes

Safety Education and Training

On October 1, 2003 the off road vehicle (ORV) safety training was administratively moved to the Michigan Department of Natural Resources. This program is currently being evaluated for content, procedure, and direction. Our goal is to have guidelines in place in early 2004 and classes underway for the spring of 2004.

New ORV safety education instructors may be needed to make these classes available to all that need or desire it. Go to <http://www.michigandnr.com/hunting/recnsrch.asp> to search for ORV classes in you area.

Land Use Rules

Indiscriminate ORV use has damaged fragile ecosystems on both public and private lands. Complaints of erosion on hills and trails, destruction of stream banks and beds, and conflicts with other users have led to more restrictive rules to control ORV abuses. For the future of their sport, as well as the future of the resource, ORV users must not only know and closely follow the operating regulations, but also encourage others to do likewise. Violations of these and other rules should be reported immediately to the nearest DNR office, or to the DNR Law Enforcement iReport All Poaching hotline: 1-800-292-7800 (NOT an information number).

Operation on State-owned Lands

The DNR administers over 4 million acres of land for a variety of purposes. Wise use of those lands includes preserving natural features and wildlife habitat, and encouraging a variety of recreational uses. Just as other users are limited in their activities to protect and conserve these vital resources while minimizing conflicts with other activities, ORV enthusiasts are restricted in where and how they may operate.

Definitions which define where and how ORVs may be operated include:

“Forest Road” Forest roads are hard surfaced roads, gravel and dirt roads, and other routes that can be traveled by a conventional 2-wheel drive vehicle designed for highway use (passenger car), including fire lanes and logging roads. **“Forest Road” does NOT include any state, federal or county highways or roads.** In general, forest road means a road OTHER THAN A COUNTY OR STATE ROAD that the family car can operate on without assistance.”

“Designated” means posted OPEN for ORV use with appropriate signs.

“Designated Route” means a forest or county road which has been signed for ORV use by the DNR. For ORVs of all sizes. Either ORV or SOS conventional licensing is required.

“Designated Area” means an area that is signed for cross-country ORV use by the DNR. ORV license is required.

“Forest Trail” Forest trails are designated paths or ways that can only be traveled by vehicles that are less than 50" in width. ORV license is required.

Signs you may see on State roads, trails and routes



Michigan Cross Country Cycle Trail -- for Motorcycles Sections Require DNR License and Secretary of State License.



ORV ROUTES for ORVs of All Sizes -- DNR License Required, Unless Licensed by Secretary of State



CYCLE TRAILS for Motorcycles -- DNR License Required



ATV TRAILS for ATVs and Motorcycles -- DNR License Required

ORV Operation On State Owned Lands:

State Parks and State Recreation Areas: managed by the Parks and Recreation Bureau, with posted (signed) boundaries identifying them as such. ORV operation is prohibited, except in designated areas of Silver Lake State Park.

State Game Areas: managed by Wildlife Division, with posted boundaries identifying them; ALL motorized vehicle operation is prohibited except on established roads open to the public. ORVs are specifically prohibited. These are primarily found in the southern third of Michigan.

State Forest Lands: generally administered by Forest Management Division, boundaries not normally marked.

Upper Peninsula

ORV operation is permitted on designated trails and forest roads in the Upper Peninsula unless posted closed.

Lower Peninsula

In the Lower Peninsula, ORV operation is permitted on all "Designated Trails", "Designated Areas" and "Designated Routes" (Forest Roads which are posted open).

Statewide

ORV use on designated trails is limited to vehicles 50 inches or less in width. Off-trail or offroute operation outside of a designated area is prohibited except for licensed hunters to remove deer, bear and elk at speeds of 5 mph or less.

Cross-country ORV operation on state-owned lands is permitted only in designated areas at Silver Lake State Park in Oceana County, at the St. Helen Motorsport Area in Roscommon County and at Black Mountain designated area in Cheboygan and Presque Isle Counties (Black Mountain designated area is restricted to ORVs 50" or less in width). Other designated areas may be developed in the future.

ORV/ATV Trail Maps

Go to http://www.michigan.gov/dnr/0,1607,7-153-10365_15070-38330--,00.html to view the State of Michigan Index Maps of Designated ORV Trails.

ORV Operation On National Forest Lands

Huron-Manistee National Forests

The Huron-Manistee National Forests' ORV policy is "closed unless posted open" for all riders on all trails. Motorized vehicles that are licensed as ORVs can operate on trails, roads and areas which are designated and signed for their use. All National Forest roads are open to all street legal vehicles, unless posted closed. Contact the Huron-Manistee National Forest for more information at: 1-800-821-6263.

Hiawatha National Forest

In the Hiawatha National Forest, all roads marked with a vertically numbered sign post are open to ORV use unless posted closed. All roads marked with a horizontally numbered sign post are closed unless posted open. Contact the Hiawatha National Forest for specific areas closed to ORV use, maps and additional information at 1-906-786-4062.

Ottawa National Forest

In the Ottawa National Forest, all roads marked with a vertically numbered sign post are open to ORV use unless posted closed. All roads marked with a horizontally numbered sign post are closed unless posted open. All trails are open to ORV use except for designated wilderness and semi-primitive non-motorized areas, designated footpath only trail systems and other areas posted closed. Contact the Ottawa National Forest for information and special management area restrictions at 1-906-932-1330 ext 350.

ORV Operation On Other Lands

Roads, streets and highways maintained for year-round automobile travel are closed to ORV operation, including the shoulder and right-of-way (entire width between boundary lines of public ways maintained for vehicular travel). However, ORVs registered as motor vehicles by the Secretary of State may be operated on the roadway.

An ORV NOT licensed for highway use may not be operated on the roadway, shoulder or right-ofway of a state, federal or county road.

Private land is closed to ORV operation except for the landowner, and invited guests with permission. The failure of a landowner to post or fence private property against ORV use does **NOT** imply consent to ORV operation.

ORV operation is permitted on the ice of public waters, but an ORV may not be operated within 100' of:

- another person;
- an ice fishing shanty;
- an area cleared for ice skating;

UNLESS the ORV is being operated at the minimum speed necessary for controlled forward movement.

An ORV may not be operated in a manner that creates an erosive condition. Michigan's soils and shorelines are fragile, and ORV operation in these areas and along stream banks and other waterways is restricted. It is unlawful to operate any ORV in or on the waters of any stream, river, marsh, bog, wetland or quagmire.

LAND TYPE	ORVs Less Than 50" Wide (most ATVs, trail bikes)	ORVs 50" Wide or More (trucks, dune buggies, tracked vehicles)
State Forest Land	L.P. designated open trails and routes. U.P. forest roads, designated trails and routes. Black Mountain Area (Cheboygan and Presque Isle Cos.)	L.P. only on forest roads designated as open if not SOS licensed.* U.P. forest routes and roads unless posted closed.
	St. Helen Motorsport Area (Roscommon Co.)	
State Game Areas	No motorized vehicle operation, except on established roads open to the public. ORVs are prohibited.	
State Parks & Recreation Areas	Silver Lake State Park, Oceana Co. is the only State Park where cross-country (scramble) operation is permitted. Contact park about special rules (231) 873-3083.	
National Forest Lands	Check with the Forest Supervisor's Office or appropriate District Office.	
Huron-Manistee	Only on roads, trails, and areas posted open to ORV use.*	
Hiawatha	Check with appropriate forest supervisor.	

Local government lands (county etc.)	Subject to ordinances and signing or posting; ORV access routes may be established by local ordinance.
Commercial forest lands, public utility right-of-way and other private lands	Only with permission of landowner.
Streams, rivers, bogs, wetlands, marshes etc.	ORV operation of all kinds prohibited: You may only cross any of these on bridges, culverts or other structures.
State and US highways	All ORV operation is prohibited on roadway and shoulder.*
County roads, other roads open to cars	ORV operation is prohibited on roadway and shoulder, unless opened by local ordinance as designated ORV access routes.*

*Trucks and other vehicles registered with Secretary of State as highway vehicles may operate on highways, county roads and other roads open to normal highway traffic; including forest roads not posted closed.

Accidents

The operator of an ORV involved in an accident resulting in injury to a person must stop immediately at the scene and render assistance. The operator of an ORV involved in an accident resulting in injury to a person or in property damage in an estimated amount of \$100.00 or more must immediately notify the State Police or Sheriff's office of the county in which the accident occurred for completion of the accident report required by law.

Penalties

Criminal penalties range from a misdemeanor to a felony. Civil penalties can range up to \$500. Persons may be held responsible for damage caused by their ORV and ordered to restore such damaged property to the original condition. Additional penalties for operating an ORV under the influence of alcohol or controlled substances can be imposed which are more severe. Serious criminal violations may also result in seizure and condemnation of the ORV.

Michigan Off-Road Vehicle Regulations – 1999/2000

Effective October 1999: A person who operates an offroad vehicle within this state while under the influence of alcohol or controlled substance or with an unlawful blood alcohol content and by that operation causes a serious impairment of a body function of another person is guilty of a felony.

Effective October 1, 2000: **If your license to operate an automobile has been suspended**

(regardless of in which state the suspension originated), **you may not operate an off-road vehicle in Michigan.**

Effective October 1, 2000: A person convicted of manslaughter, negligent homicide or a felony resulting from off-road vehicle operation, shall have 6 points assessed against their driver's license. A person convicted of operating an off-road vehicle while under the influence of alcohol or controlled substance, or with an unlawful blood alcohol content, shall have 6 points assessed against their driver's license. A person convicted of operating an off-road vehicle while visibly impaired, shall have 4 points assessed against their driver's license.

Persons with Disabilities

Persons who have been issued either a SOS handicap license plate or placard, a DNR permit to hunt from a standing vehicle or who possess a completed DNR affidavit certifying the individual is disabled (Must be countersigned by a licensed physician.) may operate a licensed ORV on state forest roads and on designated trails. Such persons are exempt from the quiet hours during the November firearm deer season if using their ORVs in conjunction with hunting or fishing. The ORV disabled person affidavits and hunt from standing vehicle permits must be available for inspection by a law enforcement officer. Permit applications and affidavits are available from all DNR offices listed on trails map.

Sound Emission

Excessive noise is a common complaint made against ORV users. All ORVs must have, in good working condition and in constant use, a muffler which will meet or exceed all sound emission standards set by state law. Exhaust noise shall not exceed 99 Db(A) or 94 Db(A) on vehicles manufactured after January 1, 1986 when tested according to the provisions of the SAE J1287, June 86 test. Users should replace all worn or damaged exhaust systems with a quality muffler. (Moto-cross motorcycles are designed for closed course competition and not for recreational riding. These vehicles must be modified before operating on public trails, routes or land.)

Alcohol

ORV riding, like any other activity involving a motor vehicle, demands the full attention of the operator. This is reflected in the rules regarding alcohol use while operating an ORV, which are virtually identical to the laws regarding alcohol in the motor vehicle code. Open containers of alcoholic beverages may not be transported in or upon an ORV unless in a trunk or compartment separate from the passenger compartment of the vehicle. An ORV operator is considered to have given implied consent to chemical tests of blood, breath or urine for blood alcohol levels, and a statutory presumption of intoxication exists for a person with a blood alcohol level of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath or per 67 milliliters of urine.

Other Operation Regulations

An ORV operator must stop upon signal of a law enforcement officer.
On private property, an ORV operator must stop upon signal of a landowner.
In addition to restrictions on state-owned lands and other violations previously noted, the following acts are unlawful anywhere in the state, except as noted.

ORV operation is prohibited:

- in any forest nursery or planting area;
- on a DNR dedicated natural area;
- in any area in a manner to injure, damage or destroy crops or trees;

- in any area in a manner so as to create an erosive condition;
- within 100' of a dwelling at a speed greater than the minimum speed necessary for controlled forward movement, except:
 - on private property;
 - on designated routes, trails, areas or access routes;
- on lands of another without permission;
- within 100' of a slide, ski or skating area;
- on a DNR designated snowmobile trail located in the Lower Peninsula unless it's also designated for ORV use.
- on any operational or non-abandoned railroad right-of-way (except to cross at designated railroad crossing);
- in or upon the waters of any stream, river, bog, wetland, marsh or quagmire;
- in public hunting areas during the November firearm deer season, between the hours of 7:00 AM and 11:00 AM, and 2:00 PM and 5:00 PM, except for:
 - going to or from a residence or hunting camp that is inaccessible by a conventional vehicle (subject to state land regulations);
 - on private property, with landowner's permission;
 - passenger vehicles while being operated on roads capable of sustaining automobile traffic;
 - a person holding a Permit to Hunt From a Standing Vehicle or other persons meeting disabled requirements while engaged in hunting or fishing activity.
- on any public highway, street or right-of-way, except:
 - to cross at right angles, after a complete stop (not on limited access freeways);
 - for ORVs also registered as motor vehicles under the Michigan Vehicle Code;
 - in a special event held under a government permit.
- at a rate of speed greater than that which is reasonable and proper;
- in a careless manner without due regard for existing conditions;
- in a manner to leave litter or debris;
- in hunting, pursuing or worrying any animal;
- while transporting a strung, uncased bow or an uncased or loaded firearm;
- while transporting or possessing an alcoholic beverage that is open or uncapped (seal has been broken);
- while under the influence of alcohol or a controlled substance;
- while visibly impaired due to alcohol or a controlled substance;
- while transporting a passenger without a seat as designed by the manufacturer;
- while under a court suspension of ORV or automobile operating rights;
- on any unlicensed ORV.

General Responsibilities

Minimum ages for ORV/ATV operation are the results of an extensive review by the Michigan Legislature. The hearing process caused everyone to focus on the alarming statistics regarding young riders. Statistics show that in 41 percent of the deaths the victim was under the age of

16 years of age. Additionally, other young victims were left paralyzed, brain damaged or with other serious permanent injuries. Most of the accidents involving young riders could be traced to a number of factors, (i.e. lack of supervision; machine design characteristics; and lack of training). Some parents appeared to be unaware of many of these hazards. The consequences of a few daring moments on an ATV can be devastating as evidenced by the accident data. Preserving and enhancing public safety in the field of outdoor recreation is of paramount importance. Recognizing that there are potential safety hazards in off-road vehicle riding, the legislature has enacted regulations which directly affect:

- operation of ORVs by children under 16;
- safety equipment that is required of all ORV operators and passengers;
- strict controls on the use and possession of alcohol while operating ORVs;
- unlawful operation on roads open to regular vehicle traffic.

There are certain responsibilities that come with the ownership and operation of an ORV. Adults bear the burdens of passing on responsible conservation and outdoor ethics to young operators under their supervision, and setting the example for all other ORV enthusiasts. It is important to consider the potential impact of ORVs on Michigan's fragile environment, and to operate ORVs in a manner that minimizes conflicts with others who are enjoying the fields and forests of the state.

Michigan's conservation officers will play an important role in ensuring ORV recreational opportunities are available for safe and responsible users. They accomplish this through aggressive enforcement and a continued willingness to respond to public concerns. They are an important bridge between the ORV users and the non-riding public. Use them and assist them to ensure the future of ORV recreation.

Tread Lightly

As an Off Road Vehicle user, it is your responsibility to "TREAD LIGHTLY" and to protect Michigan's fragile environment.

- Obtain maps and rules from the Michigan Department of Natural Resources, U.S. Forest Service, ORV dealerships or clubs. Learn the rules and follow them;
- Attend an ORV class. If qualified, volunteer to teach one and pass on your skills to new riders;
- Avoid running over young trees, shrubs and grasses damaging or killing them;
- Stay off soft, wet trails readily torn up by vehicles. Repairing damage is expensive;
- Travel around meadows, steep hillsides, or streambanks and lakeshores easily scarred by churning wheels;
- Resist the urge to pioneer a new road or trail, or to cut across a switchback. Cross country operation is unlawful except in designated areas;
- Stay away from wild animals that are rearing young or suffering from food shortage. Stress can sap scarce energy reserves;
- Obey gate closures and regulatory signs; Vandalism costs tax dollars and reduces trail riding opportunities;
- Respect wilderness and other non-motorized areas. They are closed to all vehicles. Know where the boundaries are;
- Respect landowner rights. Be a good neighbor;

- Thumbs down on sound! Loud noise in the forest setting is offensive. Maintain stock mufflers;
- Spark arresters are a hot idea and mandatory; They prevent hot particles of carbon and soot from escaping the vehicle and starting forest fires;
- Courtesy and respect for other trail users is a matter of safety and treading lightly. Yield the right of way.

ORV Trail Riders Attention

Michigan's public Off-Road Vehicle (ORV) trails offer thousands of miles of single and double track riding opportunity. These trails are lightly groomed and riders are likely to encounter narrow sand trails, rough moguls, steep hills, stumps, rocks, brush, loose surfaces and other hazards.

Advisory

Michigan's ORV trails and routes are designed for twoway travel. Users need to always be alert for on-coming traffic. Single track trails are designed for motorcycles and ATVs and are recommended for ADVANCED RIDERS ONLY. Be alert at all times when riding on designated routes for other vehicles including automobiles and trucks. Drivers of larger vehicles, all too often, fail to notice smaller motorcycles and ATVs.

Other Advice

Always make sure your ORV is in good operating condition. Check gas level before riding. In an hour, riders can travel farther than they can walk in eight. Don't forget your tools, trail maps, a first aid kit and a compass. Always ride with a companion. Know your local emergency telephone numbers before you ride.

Be Careful, Stay Alert and Ride Responsibly

Additional Information Can Be Obtained From the Following:

Dept. of Natural Resources Law Enforcement

P.O. Box 30031
Lansing, MI 48909-7931
(517)373-1230
TDD(517)373-1079

Dept. of Natural Resources Forest, Mineral & Fire Management

P.O. Box 30452
Lansing, MI 48909-7952
(517)373-1275

